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8 RONALD W. BRATTON,
9 Plaintiff,
10 v.
11 RON BROOMFIELD, et al.,
12 Defendants.
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15 Case No. 20-cv-03885 BLF (PR)
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**ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
THIRD AMENDED COMPLAINT**

(Docket No. 45)

18 Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. §
19 1983 against prison staff at San Quentin State Prison. Dkt. No. 1. On July 25, 2023, the
20 Court dismissed the second amended complaint with leave to amend. Dkt. No. 44.
21 Plaintiff was directed to file a third amended complaint by August 22, 2023. *Id.*

22 Plaintiff has filed a motion for an extension of time to file a third amended
23 complaint due to his current illness. Dkt. No. 45. Good cause appearing, the motion is
24 GRANTED. Plaintiff shall file a third amended complaint using the court's form
25 complaint to attempt to correct the deficiencies in the third amended complaint **no later**
26 **than twenty-eight days (28) from the date this order is filed.**

1 The third amended complaint must include the caption and civil case number used
2 in this order, *i.e.*, Case No. 20-cv-03885 BLF (PR), and the words “THIRD AMENDED
3 COMPLAINT” on the first page. Plaintiff must answer all the questions on the form in
4 order for the action to proceed. Plaintiff is reminded that the third amended complaint
5 supersedes the second amended, and Plaintiff may not make references to the second
6 amended complaint. Claims not included in the third amended complaint are no longer
7 claims and defendants not named in a third amended complaint are no longer defendants.
8 *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

9 **Failure to respond in accordance with this order by filing a third amended
10 complaint in the time provided will result in the dismissal of this action without
11 prejudice and without further notice to Plaintiff.**

12 This order terminates Docket No. 45.

13 **IT IS SO ORDERED.**

14 **Dated: August 29, 2023**


BETH LABSON FREEMAN
United States District Judge